

**Virginia Office for Protection and Advocacy  
Richmond, Virginia  
Disabilities Advisory Council Meeting Minutes  
July 27, 2005**

- Call to Order:** Dave Wilber, Vice Chair, called the meeting to order at 10:00 a.m.
- Welcome and Introductions:** Mr. Wilber welcomed members of the Council, Guests, and Staff and asked that each person introduce themselves.
- Members Present:** Jessie Chapman, Van Johnson, Julie Palmer, Ed Senft, Elaine Senft, Cheri Steirer
- Members Absent:** Eric Clark, Daaiyah Rashid, Mike Savory, Don Sublett, Ed Zeigler
- Guests Present:** Dan Mahone
- Staff Present:** Sherry Confer, Colleen Miller, Lisa Shehi
- Public Comment:** Dan Mahone stated that he is seeking assistance from the Virginia Office for Protection and Advocacy (VOPA) in regards to his 15-year old son. Mr. Mahone shared his son's conditions with the Council. Sherry Confer explained to Mr. Mahone that the Disabilities Advisory Council does not have authority to process requests for services. She suggested that Mr. Mahone speak with the Resource Advocacy Unit (RAU). Ms. Confer introduced Mr. Mahone to RAU staff for further assistance.
- Minutes from April 28, 2005 Meeting:** Mr. Wilber requested that Council members review the minutes. Sherry Confer noted the following changes to the minutes:
- 1) notation of "human rights training" should be changed to "facilitated a human rights discussion"
  - 2) all references to the FY 06 "objectives" should be changed to reflect "Focus Areas". Cheri Steirer made a MOTION to approve the minutes as changed. Elaine Senft seconded the MOTION. The MOTION passed by unanimous vote.

**Training:**

Hilary Malawer, VOPA Staff Attorney, provided a training on work incentives for beneficiaries of Social Security. Ms. Malawer provided handouts regarding the Ticket to Work program, Benefits Planning Assistance and Outreach (BPAO), and Protection and Advocacy for Beneficiaries of Social Security. Additionally, she provided information on BPAOs serving Virginia and Medicaid information under Social Security Income Incentive – 1619(b). Ms. Malawer noted that few individuals receiving Social Security benefits return to work due to the disincentives associated with possibly losing benefits. Sherry Confer noted that residents of a state training center participating in a recent focus group expressed a desire to have VOPA focus on employment issues.

**Executive  
Director's  
Update:**

Colleen Miller noted that the Progress on Priorities report was included in their packet. She further brought to the attention of Council members that VOPA is currently in negotiations with Adult Protective Services (APS). This negotiation may result in the receipt of approximately 3,500 complaints and allegations of abuse and neglect against persons with disabilities. Ms. Miller further noted that this will be a huge source of information for VOPA and enable VOPA to track patterns in the community as we do institutions. Mr. Wilber asked if there would be a mandatory reporting requirement. Ms. Miller noted that at this time, it is not under consideration.

On additional news, Ms. Miller noted that Gary Conover, Managing Attorney, and Peter Widel, Investigator, are presenting a training at the Justice Command College in Charlottesville and instructing the heads of law enforcement agencies from across Virginia about encountering individuals with disabilities. VOPA will offer to be available to connect local police organizations to training resources. The primary focus of the training today is to share ways of interacting with people with disabilities and the possibility of a lawsuit should a person with a disability be inappropriately charged. Ms. Confer reminded the Council that participation in this training is a result of a recommendation from the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Advisory Council.

Further, Ms. Miller noted that VOPA is in the final steps of negotiation with the Virginia Board for People with

Disabilities on a very small research grant for alternative decision making methods (healthcare decision making, powers of attorney, other alternative tools). VOPA will provide legal research regarding Virginia law and policies about decision making tools.

Ms. Miller noted that the Centers for Mental Health Services (CMHS), the funding source for our PAIMI program, will be spending time at VOPA performing a site visit August 9-11.

Ms. Miller reviewed the litigation reports and entertained questions from Council members.

Ms. Miller reviewed financial reports. She noted that VOPA is required to follow the State Appropriations Process in order to receive federal funding.

**DAC Annual Report:**

Sherry Confer noted that a draft of the format for this Council's annual report had been included in the packet for review. The Report is modeled after the Report used by the Protection and Advocacy for Individuals with Mental Illness (PAIMI) Council. Ms. Confer noted she would begin completing the Report based on the Council's past comments and discussions and provide the draft to Council members. At the next Council meeting, the Report can be finalized.

**Fiscal Year 2006 Priority Planning:**

Ms. Confer distributed a draft of VOPA's projected goals and focus areas. She reminded the Council that they had a previous concern over a balance between communities and institutions. She further noted that when staff develop the Objectives, the Focus Areas will become much more targeted. Council members continued discussion on the Goals and Focus Areas as presented.

**Membership:**

Ms. Confer noted that Daaiyah Rashid, current Chair of the Disabilities Advisory Council, is not in attendance due to a scheduling conflict. She further noted that Ms. Rashid has submitted her resignation as Chair and Council member. In the interim, Ms. Confer noted that Dave Wilber had accepted the role as Acting Chair for this meeting. In addition, Ms. Confer reminded Council members that they need to elect new officers. Dave Wilber and Van Johnson have agreed to serve as Chair and Vice Chair if they are nominated and elected. Ed Senft made a MOTION to nominate Dave Wilber as Chair and Van Johnson as Vice

Chair. Cheri Steirer SECONDED the MOTION and it passed by unanimous vote. Terms for the new officers will begin October 1, 2005.

Ms. Confer shared with the Council that she has received inquiries from approximately 25 individuals interested in serving on one of the Councils. Ms. Confer reminded Council members that in the past, the applications would be reviewed by the Executive Director and herself and then presented to the Council for a recommendation. Council members discussed options for reviewing the applications. Colleen Miller reminded Council members that it is the sitting Board Chair who actually makes appointments to the Council. She noted that, if it is the will of the Council, she will ask the Executive Committee of the Board to include an agenda item in their next meeting to discuss Council appointments. Mr. Wilber, on behalf of the Council, agreed that the Council would welcome input from the Executive Committee.

Additionally, Ms. Confer requested that each Council member review the Council roster, make any necessary changes, and return the roster to her. She will make applicable changes and redistribute. Ms. Confer further noted that attendance at Council meetings is important and is directed in the Council Bylaws. In reflection to Council membership, Mr. Senft noted that all efforts to assure balanced geographical representation on the Council are moot if the members do not attend. Mr. Senft made a MOTION to contact any Council member who has missed two consecutive meetings to determine their continued interest. Van Johnson SECONDED the MOTION and it passed by unanimous vote. Ms. Miller concluded by noting that the Center for Mental Health Services, the funding agency for the PAIMI Council, requires that we do leadership training for the PAIMI council during the next year and that we could add that training to the Disabilities Advisory Council as well.

**Board Update:**

Due to a scheduling conflict, Maureen Hollowell, chair of the Board of Directors was unable to attend. In her absence, Ms. Miller explained that VOPA is mandated by Virginia Code to develop an Ombudsman Program but that it has never been funded by the state. Through the work of an *ad hoc* Board committee, a pilot program, focused on early childhood, had been approved by the Board and will be

proposed to the General Assembly for funding. The proposed budget is approximately \$148,000.

Ms. Miller noted that at the last Board meeting, members spent time on the Goals and Focus Areas, as well as adopting the budget and Conflicts of Interest policy. She further shared that the Board Policy Committee is working through operating policies of the agency and will prepare for review of the Board at the September 20 meeting the following policies: bloodborne pathogens, political activity, use of experts, and a new policy on employee accommodations

**Calendar:** Council members selected October 12, 2005 as the next meeting date. The meeting will be held in Richmond.

There being no further business, Cheri Steirer made a MOTION to adjourn. The MOTION was seconded by Van Johnson and approved by unanimous vote of the Council.

**FINAL MINUTES:**

\_\_\_\_\_ October 12, 2005